IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

RP.No. 394 of 2007(T)
IN
W.P.(C).NO.4363 OF 2007

AGAINST THE JUDGEMENT/ORDER IN WPC.4363/2007 Dated 19/02/2007
.....

PETITIONER/RESPONDENT 5:

SHAHUL HAMEED,THODIYOOR PUTHEN VEEDU, PEREYAM,CONVENOR,CASHEW WORKERS UNION (C.I.T.U) PEREYAM.

BY ADV. SRI.V.BHASKARAN PILLAI

RESPONDENTS/PETITIONER & RESPONDENTS 1 - 4 AND 6:
----

1. **NIJUMUDEEN A,PROPRIETOR M.A.K CASHEW FACTORY,PEREYAM,UMAYANALOOR,KOLLAM.**
2. **STATE OF KERALA REPRESENTED BY SECRETARY HOME DEPARTMENT,SECRETARIAT,THIRUVANANTHAPURAM.**
3. **SUPERINTENDENT OF POLICE KOLLAM.**
4. **CIRCLE INSPECTOR OF POLICE,CHATHANNUR.**
5. **SUB INSPECTOR OF POLICE,KOTTIYAM.**
6. **THAJUDEEN,S/O.ABOOBACKER KUNJI, CONVENOR CASHEW WORKERS UNION (C.I.T.U)PEREYAM.**

BY GOVT.PLEADER SRI.P.A.SALIM
ADV.SRI.P.N.MOHANAN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

R.P.No.394 OF 2007

Dated 10th April, 2007

ORDER

Koshy,J.

This is a petition for reviewing the judgment dated 19th February, 2007. In the above judgment, we have directed the police to see that no obstruction is caused to the petitioner's Cashew Factory and ingress and egress are not restrained. Other directions were also given. The above directions were given without prejudice to the right of the workers or unions to raise industrial disputes. Counsel for the review petitioner submitted that management is not co-operating with the industrial dispute. It is obligatory for the management to attend all the conciliation conferences. According to the management, they appeared before the Labour Officer and produced all the documents. Even if the management is not appearing in the conciliation conferences fixed by the District Labour Officer, conciliation officer can proceed according to law and report failure for referring industrial dispute. Labour Officer can also compel the management to attend conciliation conferences as per rule. If any wages or gratuity are not paid, workers can approach statutory authorities. They cannot take law

into their hands. Since workers' rights are protected by raising industrial disputes, we see no ground to review the judgment.

The Review Petition is dismissed.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

tks